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ABSTRACT

Compiled using data from the American Library Association's Office of Intellectual Freedom (OIF), this report provides information about censorship attempts and actions in New York between 1966 and 1980. The purpose of this article is to provide New York librarians and educators with information on: (1) number of censorship cases reported; (2) locations of attempts; (3) sources of attempts; (4) reasons for attack; (5) types of institutions affected; (6) materials under attack; and (7) the outcomes of censorship attempts. During this time period, 85 cases were reported. It is noted, however, that an estimated 85% of censorship incidents are never reported to the OIF; therefore, New York's actual censorship rate could be significantly higher. Seventeen cases occurred in New York City, and the others were distributed among 50 other towns and cities. The peak years were 1970 and 1971; a decrease was noted from 1973 to 1980. Censorship cases were often initiated by administrators, parents, school trustees, and a variety of leadership figures. The institutions affected were elementary schools (5); junior high schools (8); senior high schools (33); colleges and universities (20); public libraries (8); and school districts (11). Censorship attacks were most commonly prompted by incidents of a sexual nature, obscenity, language, and racism. Of the 85 cases, 23 were successful, four were partially successful, 42 were unsuccessful, and 16 were of unknown status at time of report. Seven tables provide summaries of the data analyses and a list of the books, films, and other materials targeted for censorship. (28 references) (SD)

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The Rape of the Statue of Liberty?

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TO THE EDUCATIONAL RESOURCES
INFORMATION CENTER (ERIC)."

By day or under floodlights by night, the words Liberty
Enlightening the World presents an inspiring spectacle to all
who gaze at New York's Statue of Liberty. Those educational
systems involved in censorship disputes however, must see
this bronze monument as representing something other than
liberty and freedom for all, for it is apparent that censor-
ship is still alive in New York's educational scheme today.

Although indices of censorship attempts in educational
institutions were compiled for each of the states, limited
to those attacks recorded in the Newsletter on Intellectual
Freedom published by ALA's Office of Intellectual Freedom
(OIF) (1), this article will study only those 85 that occurred
in New York from 1966 through 1980. Since it has been esti-
mated that only about fifteen percent of censorship attacks
are described in the media, New York's reported cases probably
represent only a small percentage of those that actually
occurred.

An index of censorship was derived by dividing the ratio
of a state's percentage of citations in the Newsletter by
the percentage of the national population residing in New
York. The population of New York for the base year 1979
was 17,648 or eight percent of the national total (2:12).
Nationally, 1,338 cases were reported from educational

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institutions, six percent were from New York. By dividing six by eight, a censorship index of 0.75 was obtained. This compares with the national average index of 1.00, indicating that New York's censorship rate during the fifteen year period could be about twenty-five percent below the national average. A comparison of the New York data may be made with those for the United States as a whole by consulting articles number three and four in the list of references.

The purpose of this article is to provide New York librarians and educators information on the (1) number of censorship cases reported, (2) locations of attempts, (3) sources of attempts, (4) reasons for attacks, (5) types of institutions affected, (6) materials under attack, and (7) the outcomes of censorship attempts.

The number of censorship cases in New York are recorded by year in Table I.

Table 1
Number of Censorship Cases Reported, 1966-80

1966	1	1973	6
1967	4	1974	6
1968	1	1975	8
1969	4	1976	7
1970	10	1977	6
1971	17	1978	1
1972	3	1979	5
		1980	<u>6</u>
		Total	85

It is interesting to note that with the new decade of the '70s, it is possible that intellectual freedom forces in New York began to take seriously the need to report attempts to the Office of Intellectual Freedom. Reported cases were considerably low from 1966 through 1969, but the years 1970 and 1971 saw significant increases. Decreases, however, were exhibited from 1973 through 1980.

Table II indicates locations of attempts in New York.

Table II
Locations of Attempts, 1966-80

Albany	1	Merrick	1
Armonk	1	Mt. Vernon	1
Averill Park	1	New York City	17
Brockport	1	No. Syracuse	1
Brooklyn	1	Port Washington	1
Brookville	1	Poughkeepsie	3
Buffalo	7	Randolph	1
Carmel	1	Rochester	3
Churchville	1	Starpont	1
Cold Spring Harbor	2	Stonybrook	1
De Kalb Junction	1	Susquehanna Valley	1
Elmira	1	Troy	1
Farmingdale	3	Van Etten	1
Flushing	2	Vernon	1
Granville	1	Wappinger Falls	1
Herkimer	1	Watertown	1
Island Trees	1	Westbury	1
Ithaca	2	West Islip	2
Jamaica	2	West Milford	1
Jamestown	1	West Seneca	1
Long Island City	1	White Plains	1
Lynbrook	1	Williamsville	3
Lyons	1	Wilson	1
Mahopac	1	Yorktown	1
Marcellus	1		
Massapequa	1		
		Total	85

Actual reported incidents occurred in sporadic locations throughout the state. Fifty cities were represented with the largest number (seventeen) cited in New York City. Buffalo, in second place, commanded a total of seven.

Table III gives a varied account of sources for censorship attempts.

Table III
Sources of Attempts, 1966-80

Administration	
College & University	9
High School	14
Junior High School	2
Elementary	1
American Legion Chairman	1
Citizens & Citizens Groups	9
City Councilmen	2
Faculty & School Committees	2
Library Trustees	3
Library Patrons	1
Ministers	1
New York State Commission for Responsible Patriotism	1
Parents	16
Police	1
Printers of Student Newspapers	1
School Trustees	12
Sportsmen's Groups	1
Student & Student Gov't. (College)	4
Television Networks	1
U.S. Immigration & Nat. Service	2
U.S. Senator	1
Total	85

Administrators head the list with parents and school trustees following closely behind. Variability is indicated with such representation as citizens and citizen groups,

library trustees and patrons, students and student government, and a U.S. Senator. New York's sources of censorship are similar to those nationwide.

Six of the ten cases reported from 1966 through 1969 involved incidents of a sexual nature. The majority of those from 1970 through 1980 were concerned with sex but encompassed more diverse areas.

Table IV

Reasons for Attacks, 1966-80

Abortion	1	Pornography	2
Bias	1	Racism	5
Blasphemy	1	Religious	4
Community Unrest	1	Restricted access	2
Controversial	2	Sexist	3
Criticism	2	Sexuality	8
Homosexuality	1	Unauthorized	4
Inaccuracy	1	"Unwholesome"	1
Language	8	Violations of	
Morality	3	journalistic ethics	1
Nudity	3	Violence	1
Objectionable/Offensive	2	War	1
Obsenity	14	Reason not given	5
Political	8		
		Total	85

The only case reported in the Newsletter for Intellectual Freedom for 1966 was a result of parents objecting to the book, It Could Happen to Anyone, in a junior high school in Rochester. However, the book was allowed to remain in the school (5:19).

In 1967, "Selections From a Journal of David Murray" (an account of the author's sex life) in The Trojan Horse, a literary magazine, was found to be obscene, lewd, and disgusting by State Supreme Court Justice Harold Simpson. He

issued an injunction to halt the sale of the magazine but later revoked his injunction (6:17).

A lone case in 1968 was instigated by parents who objected to the topic of communism in a West Milford high school textbook, Viewpoints, U.S.A. The school board declined to stop using the text (7:13).

In 1969 three nuns were dismissed from their teaching positions by the pastor for teaching evolution versus creation. There was no indication given in the Newsletter as to whether reinstatement was granted or even considered (8:41), though the authors understand they were not.

Incidence of censorship cases were at their highest in 1970 and 1971. But it is interesting to note that during these years when the Vietnam War was at its peak, cases of a political nature were predominant.

A Rochester high school teacher in 1970 was dismissed because she refused to pledge allegiance to the flag, yet she did stand at attention. Three years later the U.S. Supreme Court let stand a lower court's decision barring public school officials from dismissing the teacher (9:16-7).

The Americanism Chairman of the American Legion presented a petition signed by about fifty persons asking that a sixth grade teacher be fired for distributing copies of Common Sense, a newspaper considered controversial on the local main street. Articles therein supported Angela Davis and condemned American education (10:86). The result of this request is not known to the authors.

The American Broadcasting Company refused to televise the half-time show of a football game between the University of Buffalo and Buffalo Holy Cross because the band formed symbols and played tunes to protest pollution, the Vietnam War, and racism (11:7).

The years 1972 through 1980 offer diversity in reasons for attacks. Those of a sexual nature still outnumber other areas. Specific reasons in this category include sexuality, morality, language, obscenity, objectionable/offensive, pornography, nudity, restricted access, and "unwholesome."

Possibly as a result of the ERA movement, cases involving sexist attitudes have appeared. In 1976, parents of children in Nassau and East Greenbush public schools filed a \$2.5 million lawsuit in the U.S. District Court seeking to restrict use of a controversial social studies course, Man: A Course of Study, contending that it violates the First Amendment by espousing secular humanism, "endorses and encourages students to accept and approve infanticide, senilicide, contempt for human life and the superiority of male over female..." (12:15).

In 1980 at S.U.N.Y., Stonybrook, school officials vetoed plans to show the film Debbie Does Dallas to raise money for improvements to dorm hallways. Residents of a dorm protested because the film appeared offensive and sexist (13:12).

Student unrest in the mid to late 1970s was evidenced by numerous censorship attempts involving student campus publications. High school as well as college and university newspapers were represented in eight cases from 1974 to 1980,

with the former outnumbering the latter six to two! Two student publications were censored because of inappropriate language; one because it contained information on contraception, abortion, and other sexual matters; and another because of unauthorized advisement.

In 1977 a Stuyvesant High School student proposed to enter a survey of student attitudes towards sex in the student newspaper, but school authorities blocked the survey citing potential psychological damage. However, the U.S. District Court ruled in favor of the student (14:158).

Students at City College of New York voted 474 to 445 to halt funding of Observation Post, the campus newspaper, after publication of photographs of a woman dressed as a nun masturbating with a crucifix. The paper was back in print shortly afterwards with another source of financial backing (15:77).

It is important to note in Table V that public libraries are included in the educational institutions category.

Table V
Institutions Affected, 1966-80

Elementary Schools	5
Junior High Schools	8
Senior High Schools	33
Colleges & Universities	20
Public Libraries	8
School Districts	<u>11</u>
Total	85

Of the eighty-five incidents in educational institutions, eight involved public libraries. For example, a Farmington library board member in 1967 who was also a member of the John Birch Society was responsible for removing an issue of Paris Review because of an article it contained on sodomy. The library board passed a censure resolution against the member charging him with theft (16:39).

In 1976, a New York City public librarian charged that Time-Life, Inc. suppressed the film, To Die, To Live, Survivors of Hiroshima (made by BBC but distributed by Time-Life) by removing its title from the catalog. They refused to provide a copy for preview, but sold the work to libraries for about double the price of comparable films. Time-Life submitted a letter of explanation to the Intellectual Freedom Committee claiming monetary loss on its distribution as the reason. The film was made available as a special order (17:19).

Local citizens of West Islip in 1977 charged that their library engaged in censorship by restricting access to nearly 900 books. The president of the board claimed that reasons for the restrictions were to prevent theft and defacement (18:155).

A wide variety of materials under attack in New York, as reported by the Newsletter, is shown in Table VI.

Table VI

Materials Under Attack, 1966-80

Books:

Over 40 novels by authors such as: D.H. Lawrence,
Henry Miller, Gore Vidal and Richard Wright; also,
621 reference books and 234 nonfiction books

ACROSS 110TH STREET
THE ADDICT IN THE STREET
BEST SHORT STORIES BY NEGRO WRITERS
BLACK BOY
BLACK IS MY FAVORITE COLOR
BOYS AND SEX
BREAKFAST OF CHAMPIONS
CALL ME BRICK
CATCH 22
CATCHER IN THE RYE (6)
DOWN THESE MEAN STREETS (2)
A FAREWELL TO ARMS
THE FIXER
FLOWERS FOR ALGERNON
THE GERANIUM ON THE WINDOWSILL JUST DIED, BUT
TEACHER, YOU WENT RIGHT ON
GIRLS AND SEX
GO ASK ALICE (3)
THE GODFATHER (3)
THE GRAPES OF WRATH (2)
THE HARNESS
A HERO AIN'T NOTHIN' BUT A SANDWICH
HOG BUTCHER
IN DUBIOUS BATTLE
THE INNER CITY MOTHER GOOSE
INSIDE: PRISON AMERICAN STYLE
IT COULD HAPPEN TO ANYONE
IT'S NOT THE END OF THE WORLD
LADY CHATTERLY'S LOVER
LAUGHING BOY
LIVE AND LET DIE
LOOPHOLE
MIDNIGHT COWBOY
MORE JOY OF SEX
MR. & MRS. BOJO JONES
MY DARLING, MY HAMBURGER
THE NAKED APE
NAOMI IN THE MIDDLE
OF MICE AND MEN (2)
PIGMAN
PORTNOY'S COMPLAINT

A READER FOR WRITERS
 THE RED PONY
 SEX BEFORE 20
 SHOW ME! (2)
 SLAUGHTERHOUSE FIVE
 SOUL ON ICE (6)
 TELL ME THAT YOU LOVE ME, JUNIE MOON
 THUMB TRIPPING
 TO KILL A MOCKINGBIRD (2)
 TROPIC OF CANCER (2)
 TRUMPET AT THE GATE
 UNDERSTANDING YOUR PARENTS

Film and Audiovisual Materials:

DEBBIE DOES DALLAS
 DEEP THROAT (2)
 LOVEMAKING (filmstrip)
 MINORITIES HAVE MADE AMERICA GREAT (film and
 record set)
 PSYCHO
 SAY GOODBYE
 TO DIE, TO LIVE, SURVIVORS OF HIROSHIMA

Magazines:

HARD TIMES (high school magazine)
 PARIS REVIEW
 THE TROJAN HORSE
 UNIVERSITY REVIEW

Miscellaneous:

"All guests and guest speakers"
 College FM Radio Station
 College Yearbook
 Half-time Show at a Football Game
 High School Yearbook
 Student Sex Survey for Student Newspaper

Newspapers:

School:

THE HORIZON
 THE OBSERVATION POST
 PAPER LION
 SPECTRUM
 STREAMS OF CONSCIENCE
 Various articles in school newspapers
 Various school newspapers

Underground:

COMMON SENSE
PAPER WORKSHOP

Organizations:

Gay Activist Alliance
Palestine Liberation Organization

People:

Abdul Hassan (PLO)
Attorney for Chicago Seven
Foreign Students
Lecturers
Nguyen Cao Ky (Former Vice President of
South Vietnam)
Nuns/School Teachers
School Teachers
Students
Teen-age Man

Stage Productions:

LOST AND OLD RIVERS (Ballet)

Textbooks:

"Certain books used in secondary school programs"
HEALTH
HEALTH AND SAFETY FOR YOU
MAN: A COURSE OF STUDY
THE PRE-SCHOOL YEARS
QUOTATIONS FROM CHAIRMAN MAO TSE-TUNG
VIEWPOINT, U.S.A.

The targets of attack are books, magazines, newspapers, films, and organizations, among others. Books which appear numerous times include: Catcher In The Rye, Soul On Ice, The Godfather, Go Ask Alice, Portnoy's Complaint, and Show Me!

In September, 1975 Parents of New York United (PONY-U) pointed out some of the aforementioned "objectionable" books to the Island Trees Union Free School Trustees which were

discovered in the card catalogs of the junior and senior high schools. The trustees unofficially directed the books to be removed and proceeded to set up a book review committee (which did not include a librarian) to make recommendations on the books. One was returned to the shelves, one was restricted to students with parental permission, and the others were permanently removed from all libraries and classrooms. In a suit brought by students and supported by the NYCLU, a U.S. District Court Judge upheld the right of the school board to examine the contents of school library materials in order to determine their suitability (19:129/41-2). The ruling was appealed to the U.S. Court of Appeals for the Second Circuit which reversed the unfavorable lower court ruling and stated that the student plaintiffs had indicated a sustainable claim for violation of First Amendment rights (20:4-6). The school board in turn, appealed to the Supreme Court, arguing that it was entitled to summary judgment (an appeal to the Federal District Court for a ruling without a trial) because the First Amendment was inapplicable to decisions concerning the contents of school libraries. With no precedent setting case on the records, difficulty among Judges in coming to an agreement had resulted in more than six years of litigation. As this article is written, the Supreme Court has not offered the school board any guidelines regarding the limits of its powers to remove controversial books. Instead, in a five to four decision, the Justices agreed that a trial should be held to see if the board had

"constitutionally valid concerns" that justified the removal of the books (21:1,10). In a recent conversation with Steven Pico, the authors were assured that in the event of further litigation, he would continue as a plaintiff (22). Apparently, this will not be necessary, as the Island Trees school board has decided to return the books in question to school library shelves. This suit stands as a landmark case for the forces of intellectual freedom in that it offers young people the chance to participate in the decision-making process involved in choosing their educational materials.

Among the films most frequently censored, Deep Throat remains high on the list. In January 1977, state government and college officials protested the showing of the movie on the Herbert H. Lehman College campus. College officials tried to persuade students to call off the showing, but since "there was no tax money involved," there was legally nothing they could do (23:74).

In September 1976, the Marymount Manhattan College President refused to allow the Utah Repertory Dance Theater Ballet to perform on the campus because in the ballet, two women were nude from the waist up. The request to perform was not granted even after the company agreed to perform fully clothed, so the performance was moved to the Manhattan School of Music (24:147).

Several cases of public appearance suspensions have cropped up in the period from 1966 through 1980. School officials of Mt. Vernon High School cancelled the appearance

of William Kunstler (Attorney for the Chicago Seven) and a speaker from the Gay Activist Alliance in April 1972 claiming the appearance of the two were "not in the best interests of the program" (25:106).

At Cornell University in December 1975, former Vice President of South Vietnam, Nguyen Cao Ky, was shouted off a campus stage during a lecture. A special faculty committee on academic freedom issued a report concluding that freedom of speech had been violated. This report attempted to define the rights of students who disagreed with speakers (26:75).

Interestingly, the unsuccessful attacks outnumbered the successful. Unsuccessful attempts are those where censors failed in their goals of censorship. Successful attempts are those in which the originators of the complaints achieved what they had attempted: banning a book, barring films from college campuses, etc. Partially successful (those which succeeded in having restrictions placed on materials) numbered four, and as this is written, the results of sixteen cases remain unknown. It is possible that with this excessive number of unknown outcomes (some going back to the early 1970s), original attempts were allowed to remain unchallenged by those fearful of unspecified repercussions, or their results were not recorded in the Newsletter on Intellectual Freedom.

Among those with unknown results, the case of a junior high school in Merrick in October 1970 is typical. Administrative authorities cut forty pages from the text Health and

Safety For You as well as blacked out two chapter titles in the table of contents which covered the topic of human sexuality (27:7). Parents protested this censorship, but it is unknown whether they were successful.

Table VII

Disposition of the Attempts, 1966-80

Successful Attacks	23
Unsuccessful Attacks	42
Partially Successful Attacks	4
Not Known	<u>16</u>
Total	85

An example of a partially successful attempt involved the book Naomi in the Middle at the Brockport School. The book was retained by the school board, but the board restricted its availability to those students whose parents declared in writing that their children may read it. The charge was that part of the book was offensive and poorly written (28:155).

The four partially successful attempts at censorship could have enjoyed unsuccessful results if the individuals involved had rallied longer and harder for the right to preserve intellectual freedom as well as the rights to teach pertinent subject materials or stock them on library shelves.

New York's rate for defense against censorship is forty-two out of eighty-five, or forty-nine percent, which indicates that almost half of the defenders of intellectual freedom were

sufficiently prepared to defeat censors. Although this is a significantly high number, there is still room for improvement. Educators and librarians must not be wary of the inevitable battles censorship cases often incite. Awareness of current topics, discussion at professional meetings as well as carefully written selection policies will aid in combating the forces of censorship. Success in this area will result in rights that extend beyond New Yorker's expectations as they contemplate their symbol of freedom on Liberty Island.

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